

c.) Amendments to the Claims

1- 7 (Cancelled)

8. (Previously Amended) The method of claim 29, wherein the Project Specifications Document is related to a field of professional endeavor belonging to a group consisting of Industrial Design, Interior Design, Architectural Design, Engineering Design.

9. (Previously Amended) The method of claim 8, wherein the Project Specifications Document is comprised of Architectural documentation, and further comprises MASTERSPEC reference numbers.

10-12 (Cancelled)

13. (Previously Amended) The method of claim 9, wherein the method is effected by one or more members of the group consisting of stand-alone computers, computer networks, and remote data communications networks.

14- 26 (Cancelled)

27. (Currently Amended) A computer-software-based ~~system~~ method for generating and maintaining Project textual documentation comprising the software-implemented steps of

(a) in a first project, appending information to discrete electronically generated Drawing Entities for purposes of establishing an electronic link between said Drawing Entities and text, the method further comprising: the steps of:

- (i) identifying a Drawing Entity contained in a CAD file;
- (ii) identifying a grouping of text in a text block file;
- (iii) creating Linking Information between said Drawing Entity and said text;
- (iv) scanning a multiplicity of CAD files, each containing a multiplicity of new Drawing Entities;

- (v) repeating steps (i) through (iii) for the new Drawing Entities;
  - (vi) associating all linking information with the corresponding Drawing Entity;
  - (vii) storing each Drawing Entity, and corresponding text, together with the associated linking information;
  - (viii) generating a printed Project Specifications Document comprising all text associated with said Drawing Entities;
- (b) repeating the previous steps for Drawing Entities not yet linked to text in a next project; and
- (c) creating a ~~next~~ Project Specifications ~~Document~~ Library from the stored Drawing Entities, corresponding text, and associated linking information, combined with the text of the next project.

28. Cancelled

29. (Currently Amended) The method of claim ~~[[28]]~~ 30, wherein the outputting Project Specification Database further comprises printing:

30. (New) The method of claim 27 in a next project, further comprising searching the Project Specification Library for text blocks linked to each Drawing Entity identified, and, if present, using said links in said next project.

Comments:

**The Rossberg patent does not teach the method of the Gillig invention with specificity which could allow it to be practiced by a person of ordinary skill in the art.**

To be used as a reference, the Rossberg patent must describe the process being cited with sufficient specificity that a practitioner or ordinary skill in the art could practice it. Akazo N.V. v. U.S. Int'l Trade Commission, 802 F.2d 1471, 1 USPQ 2d. 1241. This is not the case in Rossberg. The examiner is referred to Rossberg, col. 5, ll. 4-66.

In col. 5 ln. 7-13: "The second pass is not as easy. It requires more complex reasoning to determine which aspects of the project, not covered in the master specification, need to be added to the section. This is based on experience of the operators and their understanding of what does and does not constitute common knowledge and practice."

And further, a ll. 34-36: "A project knowledge base 23 suitable for the first pass of the editing process can consist of a set of answers to questions derived from the master specification 21. The set of questions is finite and fixed for a given section and represents all of the knowledge required to determine whether or not each text element of the section is required for the project. To edit a section, a computer program is preferably utilized to produce the answers to the questions associated with the section. Such program can ask the writer directly, or can both utilize other sources and only ask the writer for information not present in such sources."

Despite the plethora of data structures and computer code included in Rossberg, the patent offers no more specificity than the paragraph above. It is alleged herein that the Rossberg patent does not teach the implementation of the present method in a way that is cognizable by a person of ordinary skill in the art.

**B. Rossberg is patentably different from Gillig.**

To constitute prior art for the purposes of anticipation, a reference must teach each and every element of the claimed invention, arranged as in the claim. Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)).

Because Rossberg contains only systems claims, the methods disclosed by Rossberg must be understood with reference to the system elements contained in Rossberg. (note that claim 27 of Gillig was incorrectly stated to be a "system" in the previous amendment, but is clearly a method claim, as it recites steps of operation.)

The present invention is different from Rossberg in any number of ways, starting with the very nature of the two inventions.

Rossberg defines the structure of a system used for the purpose of generating project plans and specifications in an architectural drawing system. The present invention is a method for generating textual documentation. It is fundamental that such a system patent cannot be considered anticipatory prior art for a method unless the system patent describes a method of use which is identical to the method of the present invention, which it clearly does not. "A process is not anticipated by [a prior art] mechanism which might, with slight alterations have been adapted to carry out that process, unless, at least,

such use of it would have occurred to one whose duty it was to take practical use of the mechanism described.” Carnegie Steel Co. v. Cambria Iron Co., 185 U.S. 403 (1902) 424.

However, Rossberg does not contain a structure which allows the steps of the present invention because of two major differences:

1. Rossberg’s system includes, as an essential element, a “structured text master specification file. This file must be in existence for the method to be used. Rossberg, Abstract; Rossberg, Claim 1 ( “1. A structured text system for generating a project specific derivative of a master specification \* \* \*”); Rossberg col. 3 ln 55 et seq. (“The master specification is an integral data base component, with an ordered list of text elements, such as titles, paragraphs arranged in levels of subordination, lists and tables, and the like. In addition to their sequence on the printed page, the elements are otherwise related, for example, they are subordinated to one another. A typical master specification section consists of a hierarchy of elements beginning with the section title.) “

In contrast the present invention contains no such file, and no steps appear in the present method requiring such a file. Gillig does contain some data found in MASTERSPEC system, but only to indicate that his system uses some of the text and codes which conform to the MASTERSPEC definitions, and that they are used in the Gillig systems as indices. Gillig, p.12 ln.19 et seq. Gillig’s software does not access any such file, or any file analogous to the Rossberg MASTERSPEC. However Rossberg cannot operate without it

2. Rossberg’s system includes a database which contains keynotes and the text blocks corresponding to those keynotes. Rossberg, Claim 1 defines notes as follows: "a

master keynote list comprising a set of notes wherein each said note is a uniquely labeled description and a set of answers, each answer of said set of answers identifies one of said multiple choice questions associated with one of said master documents in said master specification, said answer further identifies an allowable alternative for the identified question "

This definition of the term "note" has nothing in common with the term "note" used in the current invention. Gillig defines "Architectural Drawing Note" p. 7 ln. 17 as "A type of drawing entity consisting of text". Examples of notes appear in Figure 3, ref 66 eg. Further, Gillig's "notes" are a subset of "drawing entities" Gillig p. 2 ll. 18-20: "Drawing Entity' here refers to any Notation, Item, Material, Part, or Assembly that can be identified as logically discreet or unique within the context of a given Project." A note is a particular type of CAD drawing entity, and is used in the Gillig disclosure for clarity, although the independent claim in Gillig uses the term "drawing entity" as more general. Rossberg's "notes" are clearly not drawing entities as used in CAD systems

The project database, as defined by Gillig p. 8 ll. 13-21, consists exclusively of drawing entities, corresponding Specification Text Blocks, and links between the two. "

To reiterate, Rossberg assumes the existence of a structure text MASTERSPEC data file, from which the notes are extracted, not as text, but as a series of logical operations to be performed on the MASTERSPEC file. Gillig requires no such MASTERSPEC file, but may, on the contrary generate a Project Specifications Library containing links to existing text blocks which correspond to specific drawing entities.

Rossberg implements his system by a database is defined throughout Rossberg as part of a "structured text" system. Rossberg col. 17 lns 32 et seq. Although not defined

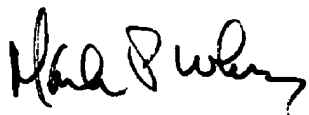
in said patent, the term "structured text" is well understood in the art, and is defined in the attached Appendix A, appearing on the WEB site of the University of Texas.

The structured text format of the Rossberg database appears to be an essential element of Rossberg, in that he generates his keynotes by performing logical operations on the structured text system. Rossberg does not disclose or claim any other means of generating keynotes other than the use of the structured text database, and is careful to describe the database as a "structured text database" in every claim. As stated above, the Rossberg keynotes do not correspond to either the drawing entities or the notes of the present invention – the Rossberg keynotes are rather definitions of a series of logical operations which must be performed on the MASTERSPEC document before anything resembling the Gillig "notes" are produced.

Claim 27 was amended to use the word "method" which it clearly was previous to the current amendment, since it described a series of steps, rather than a structure. In addition, the claim previously confused notes and text blocks, and this confusion has been rectified in the present amendment.

It is believed that the amendment made herein, and the arguments propounded above, effectively traverse the Examiner's objections, and put this Application in condition for allowance, which is hereby requested.

Respectfully submitted, on December 13, 2003, by



Mark P. White, Registration No. 37,757  
MPW/ag